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FM AMEMBASSY ASHGABAT  
TO RUEHC/SECSTATE WASHDC 2048  
INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE PRIORITY  
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RUEHAK/AMEMBASSY ANKARA PRIORITY 4624  
RUEHBJ/AMEMBASSY BEIJING PRIORITY 2428  
RUEHKO/AMEMBASSY TOKYO PRIORITY 2293  
RUEHBS/USEU BRUSSELS PRIORITY  
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RUEAIIA/CIA WASHDC PRIORITY  
RHEFDIA/DIA WASHDC PRIORITY  
RUEKJCS/JOINT STAFF WASHDC PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY  
RUEKJCS/SECDEF WASHDC PRIORITY  
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY  
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UNCLAS SECTION 01 OF 02 ASHGABAT 001656

SENSITIVE

SIPDIS

STATE FOR SCA/CEN; DRL

E.O. 12958: N/A

TAGS: [PHUM](#) [PGOV](#) [KDEM](#) [TX](#)

SUBJECT: UN INTERVENTION ON HUMAN RIGHTS CASE PROMPTS POSITIVE  
TURKMEN GOVERNMENT ACTION

REF: ASHGABAT 1472

[1](#)1. (U) Sensitive but unclassified. Not for public Internet.

[1](#)2. (SBU) SUMMARY: Ayjemal Berdiyeva, a Niyazov era torture victim, recently informed post that she received a letter from a UN agency in Geneva, presumably the UN High Commissioner for Human Rights (UNHCHR), that obliges the Government of Turkmenistan to provide her with medical care, and to provide restitution and compensation for the losses her family have suffered. Berdiyeva was also visited by Turkmenistan's Prosecutor General, who promised to comply with the obligations in the letter. If the Turkmen authorities keep their promises to the Berdievs, it would be a positive development for the family and an indication that the Turkmen government can be responsive to UN decisions involving its international human rights obligations. END SUMMARY.

LETTER FROM THE UN BEARS GOOD NEWS

[1](#)2. (SBU) On December 29, Embassy Political Assistant had a phone conversation with Ayjemal Berdiyeva, a torture victim and the wife of Bazartgeldi Berdiyev, an entrepreneur who was jailed in late 1998 and pardoned in 1999 (reftel). Berdiyeva said that around December 20 she received a letter from a UN office in Geneva. (NOTE: The UN office is presumably the UNHCHR. The local UNDP representative had earlier directed post to contact the UNHCHR about the Berdiyev's case. END NOTE.) According to Berdiyeva, the letter obliges the Turkmenistan government to provide her with medical assistance, to return the family's belongings and to compensate the couple for damages they had suffered. She said that a similar letter had been sent to the President of Turkmenistan.

VISIT OF PROSECUTOR GENERAL

[1](#)3. (SBU) Before Berdiyeva received the UN letter, she received a phone call from Chary Hojamuradov, Prosecutor General of Turkmenistan, who told her that upon the President's instruction she would receive medical care from the State. Later, Hojamuradov visited Berdiyeva to see how she was doing. Seeing that she was disabled, he reportedly promised that she will get medical treatment

at her choice of facility anywhere in the world. Berdiyeva is optimistic and looking forward to receiving assistance from the State. She said her lawyer told her that 11 other citizens of Turkmenistan received similar letters obliging Turkmenistan to render assistance to them. When Berdiyeva applied to the UN Office in Kyrgyzstan in early 2008, the officer who received her petition had told her that there were numerous human rights petitions from Turkmenistan's citizens.

#### CHANGED ATTITUDE

14. (SBU) Berdiyeva also mentioned that Shirin Ahmedova, Director of the State Institute for Democracy and Human Rights, who previously was unwilling to talk to Berdiyeva, now talks to her very politely. Berdiyeva attributed the change in Ahmedova's tone to the UN letter and/or instructions from President Berdimuhamedov to assist the family.

#### FORCED APOLOGIES

15. (SBU) Gurbanguly Saparov, the man who defamed the Berdiyevs and initiated the criminal prosecution against them, called Berdiyeva and tried to apologize for the suffering he had caused her family. Berdiyeva told him that she did not want to hear from him. Saparov reportedly begged her to forgive him according to the Turkmen tradition of "towella" (settling a conflict between opposing parties by peaceful means involving a mullah (cleric) or elders as mediators). As a person who respects tradition, Berdiyeva said she did not reject his offer to apologize. She finds Saparov's sudden desire to be forgiven as an indication that he was pushed by authorities due to the UN letter.

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18. (SBU) COMMENT: If the Turkmen authorities follow through, it would be a positive development for the family and an indication that the Turkmen Government can be responsive to UN decisions involving its international human rights obligations. Given the fact that President Berdimuhamedov is involved and high-level officials already have contacted Ms. Berdiyeva, it is more than likely they will follow through. In addition, the Turkmenistan government views the UN as its preferred partner and takes great pride in the fact that the UN granted the country official neutral status. Perhaps the key for finding resolution for some human rights cases is to go through the UNHCHR. END COMMENT

MILES